

REMARKS

Overview

In the parent application, the most recent Office Action, mailed Jan 27, 2004, rejected claims 1-4, 6-8, 10-12, 14-16 and 18 under 35 U.S.C. § 102(e) as being anticipated by Hartmaier (U.S. Patent No. 6,553,022), and rejected claims 5, 9, 13 and 17 under 35 U.S.C. § 103(a) as being unpatentable over Hartmaier in view of Ronen (U.S. Patent No. 5,745,556). Applicant respectfully traverses these rejections, and claims 1-18 continue to be pending.

The new undersigned attorney wishes to thank the Examiner for the thorough Office Action, including the specific citations to portions of the applied references and elements of the claims to which those portions relate.

Embodiments of the Present Invention

Embodiments of the present invention are directed to assisting with the placement of a telephone call by a user via a modem, such as a modem in a shared modem pool that is accessible over a network by users of that network. In some embodiments, the disclosed techniques are used to restrict the ability of users to place outgoing phone calls over a modem so that only authorized users of the network are allowed to place such calls, thus ensuring that billing of the appropriate user can be accomplished. For example, in some embodiments after receiving a request from a user of a network to place a call via one of the modems of a shared modem pool, but before placing the call, the user is authenticated as a valid user of the network and authorized to place the call based on identifying information for that user. If the user is determined to be authorized, the call is then placed, and the user identifying information is used to bill the user for the telephone call that they placed.

In at least some embodiments of the present invention, the system automatically authenticates a user by accessing information stored in a database, and requesting user input that is required to authenticate that user. The authentication information is provided centrally, e.g. at an intermediate node within a

network, rather than at one or more endpoints or destination nodes. Thus, one benefit of this system is that authenticating may be done not only automatically, but quickly, because the database of all of authentication information, and the authentication processes, are located together at the intermediate node, and associated with the pool of modems in this embodiment.

The Hartmaier Reference

Hartmaier is directed to techniques to allow users of the telephone network to access a data network (e.g., the Internet), such as in conjunction with an ISP ("Internet Service Provider") with which a user has an account. In particular, rather than having an ISP directly receive calls over the telephone network made by the modems of users' computers, an intermediary authorization component instead is used to receive such calls (which may be received via a modem pool in a standard manner). After receiving a telephone call from a user, a determination is made whether the user has a valid account at a specified ISP, and if so the user is given access to the data network via a data port of the authorization component.

One purpose of Hartmaier appears to simply be that of exchanging information between users and ISPs, such as for authentication. Thus, Hartmaier apparently requires information to be gathered from users through user-input requests. The information received from the users based on these requests is then provided to one of several ISPs. See, e.g., column 2, lines 33-48. The ISPs perform the authorization checks, and send back messages indicating whether or not the users are authorized by the ISP. See, e.g., column 5, lines 38-43. Thus, authentication information is stored at each of the different ISPs, and the system of Hartmaier must suffer from delays in transmitting requests to ISPs and receiving authorization messages from ISPs before connecting a call from a user to the ISP.

Analysis

The Examiner has rejected all of the pending claims based on Hartmaier, either alone or in combination with Ronen. However, the pending claims include

features and provide functionality not disclosed by Hartmaier or Ronen, and are thus allowable.¹

As noted above, Hartmaier, the primary reference, requires significant message traffic between a user and an endpoint before a connection is established. For example, Hartmaier requires a user to be authenticated by first requesting authentication information from a user. It then gathers this information and provides it to an ISP. Finally, Hartmaier requires an authentication message to be received back from the ISP before connecting the user with the ISP. In sum, one shortcoming of Hartmaier is that it consumes valuable bandwidth for authentication requests by users.

In contrast, embodiments of the invention automatically perform authentication processes for incoming calls. Such authentication is performed without requesting authentication or user information from a user each time a call is made or connection requested. Thus, bandwidth between a user and any intermediate node is not consumed during authentication. Moreover, embodiments of the present invention don't consume valuable bandwidth with the destination node during authentication. Embodiments of the present invention can preserve bandwidth on both the link between the user and intermediate node, and the link between the intermediate node and destination node.

Claim 1, as amended, now recites, among other limitations, that the authentication is performed "without requesting and requiring user input before each telephone call." Furthermore, Claim 1 recites, inter alia, that the authentication "is solely performed at a location associated with the modem, and not at the destination associated with the telephone call." While different, the remaining independent claims recite similar limitations.

¹ Silence regarding a position taken, or arguments made, by the Examiner does not indicate any acquiescence to that position or argument. Furthermore, arguments made with respect to a particular claim or claims apply only to that claim or claims, and not to other claims, unless specifically noted herein.

In sum, the applicants respectively submit that independent Claims 1, 6, 10 and 15 are allowable over Hartmaier. Ronen apparently fails to make up for the deficiencies of Hartmaier. Thus, for at least the above reasons, independent Claims 1, 6, 10 and 15 are allowable.

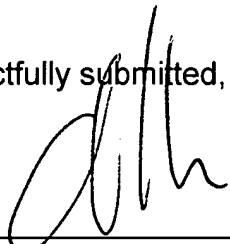
The pending dependent claims include the features of those claims from which they depend, and are thus allowable for the same reasons as those claims. Moreover, the pending dependent claims also recite additional features lacking in the cited references, and are thus allowable on the basis of those features as well, although those various features are not enumerated here for the sake of brevity. If the undersigned attorney has overlooked a relevant teaching in any of the references, the Examiner is requested to point out specifically where such teaching may be found.

Conclusion

In light of the above remarks, Applicant respectfully submits that all of the pending claims are allowable. Applicant therefore respectfully requests the Examiner to reconsider this application and timely allow all pending claims. Moreover, if the Examiner believes that it will expedite resolution of any outstanding issues, Applicant encourages the Examiner to contact the Applicant's representative at (206) 359-3599.

Dated: July 26, 2004

Respectfully submitted,

By 

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